FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF PETER G. PETERSON AND ROSALIND F. PETERSON

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Upon the Petition of	)	
PETER G. PETERSON,	)	Filed September 24, 1985
Petitioner-Appellee,	)	
And Concerning	)	
ROSALIND F. PETERSON,	)	5-430 84-1991
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Black Hawk County - C. W. Antes and Forest Eastman, Judges.

Respondent wife appeals from the decree dissolving the parties' marriage. **AFFIRMED.**

George D. Keith of Martin, Nutting, Miller, Keith & Pedersen, Waterloo, Iowa, for respondent-appellant.

Walter W. Rothchild, Waterloo, Iowa, for petitioner-appellee.

Considered by Donielson, P.J., Schlegel, and Hayden, JJ.

HAYDEN, J.

Respondent wife appeals from the decree dissolving the parties' marriage. She asserts that the alimony award should be indefinite rather than limited to a period of nine years. In the alternative, she argues that her property award should be increased. We affirm.

Peter and Rosalind Peterson were married in 1958. They have four adult children.

At trial time both parties were 44 years old and were in good health. Peter has been employed at John Deere for over twenty years. He is currently a general supervisor and product manager earning over $56,000 per year. Rosalind is a high school graduate with little employment experience. Since the parties' separation she has been employed intermittently; at trial time she had recently been laid off. Her most recent job paid $4.00 per hour.

The trial court directed Peter to pay Rosalind alimony of $1,000 per month for a period of nine years.

The trial court awarded Rosalind a house worth $40,000, household goods, a car, and $2,000 in cash on hand. The trial court awarded Peter stock in the John Deere Company worth $27,000, a car, household goods, and $1,500 in cash on hand. The trial court directed Rosalind to assume debts of $1,100 and directed Peter to assume debts of over $10,000. The trial court expressed its intent to achieve an equal division of property. Rosalind has appealed.

Our review is de novo. Iowa R. App. P. 4. While we give weight to the findings of the trial court, we are not bound by them. Iowa R. App. P. 14(f)(7).

In considering the fairness of the alimony provision, we look to the factors listed in Iowa Code section 598.21(3). In doing so, we conclude that permanent alimony is unwarranted.

For the most part, Rosalind was unemployed during the course of her marriage. However, she was active in political, volunteer and school affairs. Her resume lists several accomplishments in these areas and indicates that she has acquired some marketable skills. We also note that Rosalind has had some secretarial training and, prior to trial, worked as a secretary/receptionist.

Based on these facts, we believe it was appropriate for the trial court to limit alimony to nine years. Given time, it is reasonable to anticipate that Rosalind will secure employment and become self-supporting. Once her standard of living is assured, there is no reason, in equity, to require further alimony payments. See In re Marriage of Hayne, 334 N.W.2d 347, 351 (Iowa Ct. App. 1983). Accordingly, we affirm.

Rosalind also argues that, if alimony is limited to nine years, she should be awarded a greater portion of the parties' assets. Viewing the facts before this court in light of section 598.21(1), we conclude that the trial court's distribution of property was equitable and should not be disturbed. In the decree, the court indicated its intent to achieve an equal division of property. Contrary to Rosalind's assertion, she is not entitled to more merely because the trial court did not award permanent alimony.

AFFIRMED.

Donielson, P.J., concurs; Schlegel, J., dissents.

SCHLEGEL, J. (dissenting)

I believe alimony is required until Rosalind dies, remarries, or cohabits with another man, because it is unlikely that she can become self-supporting at a standard of living reasonably comparable to that enjoyed during the marriage, given the substantial earnings and other personal and family benefits resulting from Peter's employment. Accordingly, I respectfully dissent.

Any hope that she can achieve a reasonably comparable standard of living on her own is speculative at best, and is not supported by the evidence.